

\*\*\*\*\* UNITED STATES DISTRICT COURT \*\*\*\*\*

NORTHERN

DISTRICT OF

NEW YORK

JUDGMENT IN A CIVIL CASE

DOCKET NO. 5:13-cv-190 (GLS/ATB)

DANA E. DZWONCZYK f/k/a  
Włodzimierz Dzwonczyk

v.

DAVID N. HURD

\_\_\_\_\_  
JURY VERDICT. This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

  X  

DECISION BY COURT. This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED, that Magistrate Judge Baxter's March 5, 2013 Order and Report-Recommendation (Dkt. No. 9) is ADOPTED in its entirety. That Dzwonczyk's Amended Complaint is DISMISSED in its entirety pursuant to 28 U.S.C. § 1915(e)(2)(B)(I) and (ii). That Dzwonczyk's motions to place the case into ADR (Dkt. No. 5), for a three-judge court (Dkt. No. 12), to temporarily stay the case (Dkt. No. 13), and for the recusal of Judge Baxter, are DENIED as moot. That Dzwonczyk's motions to amend (Dkt. No. 11), and to join additional defendants (Dkt. No. 14), are DENIED as futile. That any appeal taken from this matter would not be taken in good faith pursuant to 28 U.S.C. §1915(a)(3), in accordance with the Memorandum-Decision and Order issued by Chief Judge Gary L. Sharpe on May 23, 2013.

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May 23, 2013

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LAWRENCE K. BAERMAN  
CLERK OF THE COURT

\_\_\_\_\_  
BY: S/

DEPUTY CLERK  
John Law